

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND

JORDAN CHISHOLM
7914 Saint Monica Dr.
Dundalk, MD 21222

Plaintiff,

v.

Civil Action No.:

C-03-CV-24-001909

OHANA GROWTH PARTNERS, LLC
D/B/A PLANET FITNESS
212 W. Padonia Rd.
Timonium, MD 21093

Defendant.

COMPLAINT

Plaintiff Jordan Chisholm, and for his complaint against Ohana Growth Partners, LLC d/b/a Planet Fitness (“Planet Fitness”) and respectively avers as follows:

PARTIES

1. Plaintiff Jordan Chisholm is a resident of the state of Maryland.
2. Defendant Ohana Growth Partners, LLC is a business principally based in the state of Maryland.

JURISDICTION AND VENUE

3. Venue is proper in this judicial district because this cause of action arose, and Defendant is located in this judicial district and Defendant does business in this judicial district.
4. All material events occurred in this judicial district.

FACTUAL BACKGROUND

5. Ohana Growth Partners, LLC (“Planet Fitness”) is a franchise division of Planet Fitness. It owns and operates 75 Planet Fitness health clubs with over 500,000 members in Maryland, the District of Columbia, Tennessee, Florida, Washington state, and California¹
6. Planet Fitness hired Plaintiff Jordan Chisholm on or about December 2, 2022.
7. Chisholm has been a fitness trainer since December 2, 2022. He was supervised by General Manager Mary Gen Mettimier. Upon information and belief, Mettimier oversees operations at your Perry Hall, Maryland location.
8. Or around November 2023, Chisholm was notified about an immediate family members serious health condition. Specifically, the family member was on his last stage of chemotherapy due to brain cancer. In or around the last week of November 2023, Chisholm informed Mettimier about his need to leave the state of Maryland and take care of his family member. Chisholm explained that a burial was imminent. Mettimier agreed to the time off.
9. On or about December 3, 2023 Chisholm informed Mettimier that he needed to take off to make “arrangements” for the terminally ill family member.
10. On December 5, 2023 Chisholm requested time off because of the emotional and mental strain with his family member. On December
11. Chisholm took off to care for his family member between December 13 to December 20. On December 18, 2023 Mettimier asked whether Chisholm was coming to work? Chisholm informed the club that he was not going to be able to come in.
12. On December 19, 2023 Mettimier called Chisholm and asked him whether he was coming back to work. Mettimier said that Chisholm cannot have Chisholm “missing all these days.” But Chisholm re-iterated to Mettimier that he was not able to come in because he was taking care of his ill family member.

¹ <https://www.linkedin.com/company/ohanagp/>

13. On December 21, 2023, Mettiner terminated Chisholm from Planet Fitness.

CAUSES OF ACTION

**Count 1: Family Medical Leave Act
*Interference***

14. Chisholm incorporates every preceding paragraph as alleged above.
15. Chisholm was unlawfully terminated because of, or on the basis of pregnancy, childbirth, or related medical conditions.
16. WHEREFORE, Chisholm prays for nominal damages; compensatory damages, in an amount to be determined at trial; punitive damages, in an amount to be determined at trial; attorney's fees and the costs of this litigation; back pay, front pay, and future benefits, as may be appropriate; pre- and post-judgment interest; and any other relief the Court deems necessary and appropriate.

**Count 2: Family Medical Leave Act
*Retaliation***

17. Chisholm incorporates every preceding paragraph as alleged above.
18. Chisholm was entitled to an FMLA benefit, her employer interfered with the provision of the benefit and that interference caused harm.
19. WHEREFORE, Chisholm prays for nominal damages; compensatory damages, in an amount to be determined at trial; punitive damages, in an amount to be determined at trial; attorney's fees and the costs of this litigation; back pay, front pay, and future benefits, as may be appropriate; pre- and post-judgment interest; and any other relief the Court deems necessary and appropriate.

JURY DEMAND

PLAINTIFF DEMANDS TRIAL BY JURY

Dated: May 21, 2024

By: */s/Ikechukwu Emejuru*
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